G. R. S. IX-5]

Previous references.

File No: 23-18

1918-19

(Legis)

Serial Nos. 102

V

Later references.

Ch III-1827+8)
" 260-18(1-21)

(6)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 102

Part B for January 1919

SUBJECT.

Re: exemptions to section 15 of Municipal Regulation.

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312) To,
The Dt Magistrate, Shimoga.
No G 13706 dt 7-1-1919

States that the word "Justice" does not include a Magistrate; so there is no objection to Honry Magistrates being nominated as Municipal Councillors.

W D 88—GPB—50,000—24-7-16

16/1/1919.

G.R.S. 11]

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

Legis File No. 23 J 18-19

FILE HEADING.

Exemptions to Sec 15 of Municipal Regulation

From

The Dist. magistrate, Shimoga Dist

No. J. C 225. Dated 21st March 1918 Received

Diary No. 3431	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Proposes exemptions to Sec 15 of Municipal Regulation

NOTES AND ORDERS.

Subd

17 Sec 15 cl (d) of the Mysore Municipal Regn precludes a person who is a Judge from becoming a Municipal councillor

A Copy of the Regn is submitted (Please vide Flag (7))

NOTES—First Sheet.

GPB—30,000—12-5-11

5431 2

G. R. S. III-2]

General and Revenue Secretariat. | File No. 23 of 1918 - 7

Serial No.

Submitted for orders

MVR 10-12-18 } a) The reference is not very clear. under clause (d) of S. 15 of the Municipal Regulation no person whom a Judge may be a Councillor. But the word "Judge" as defined in the Municipal Regulation does not include Magistrates. It means only a District Judge, Sub Judge or Munsiff. Hon'ble Magistrates are not thereby prevented from being Municipal Councillors. As a matter of fact many of the Honorary Magistrates now hold seats Municipal Councillors in the cities of Bangalore & Mysore. In this connection attention is also respectfully invited to S. 556 of the Criminal Procedure Code & the Explanation thereto, which clearly show that disqualification of a magistrate may be a Municipal Councillor.

Why not consult the Chief Judge if it is not opposed to any rule or practice?

Please consult Govt. Advocate thereon 13/12

b) As regards clause (f), the Dt. Comm. has given no good grounds for altering the rule. The rule seems to be based on very sound principles. The object is that Councillors should neither have nor acquire any interest conflicting with the interest of the Municipality.

I agree

Submitted for orders

Second Member. Vide Municipal Remarks Sheet.

Note—Contn. sheet. 2279 11/12

WD A 1789—DPB—60,000—20-4-18—[illegible]

G. R. S. [1-2]

3

General and Revenue Secretariat. | Legis File No. 23 of 1918-19.

Serial No.

1826

U. O. 31-18

16.12.18.

U. O. 31-18 Chelli 21.12.18

U.O. 8943/18-9

I forwarded unofficially with compliments to the Government Advocate for favour of opinion

Byrde

Secretariat

18/12/18 for Chief Secy

Since the Stipendiary Judge is defined in Sec 3(3) of the Municipal Reg: as meaning District Judge, Judge of a Court of Small Causes, Subordinate Judge or Munsiff, the word Judge wherever it is found in that Reg: must be taken to be used in the same sense — there there is no legal objection to Hon: magistrates being nominated Councillors so far as the Municipal Reg: is concerned

19.12.18.

Sd D
23-12-18

I think that the Dist Magte may be informed that the term "Judge" does not include a Magistrate

GMA
23.12.18

Chief Secy Please Draft following for Advocate's opinion

NOTE—Contn. sheet.

MADRAS 1789—GPB—60,000—20-8-19—S.

GMA 2.1.19 Sent

5431

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 23 of 191 8-19

Serial No.	
	Subd with a Draft to the Dist Magte of Shimoga Issue GMH 4.1.19
	MOR 4.1.19
	For favour of perusal GMH 4.1.19
	Temp. Member) Issue GMH 6.1.19
2515/4.1.19	
	Letter 5.1.19.
2	To The D. M. Shimoga No 13706 of 7-1-19 States that the word 'Jonge' does not include a Mayte so there is no objection to Hony Mayte being nominated as Member Councillors

NOTE—Contn. sheet.

5

Office of the District Magistrate,

J.C. 225. Shimoga District,

Dated Shimoga 21st October 1918.

From,

M.A.Narayana Aiyengar, Esquire, B.A., B.L.,
District Magistrate, Shimoga District.

To,

C.S.Balasundaram Iyer, Esquire, B.A.;
Chief Secretary to the Government of Mysore,
B a n g a l o r e.

Sir,

I have the honor to state that according to the provisions of Section 15 clauses D & F of the Municipal Regulation, some of the gentlemen whose names were proposed and sanctioned by Government - as Honorary Magistrates are precluded from being Municipal Council -lors.

I request therefore that the appointment of Honorary ---- Magistrates may be brought under exemptions to the said Section 15 of the Municipal Regulation as in small towns, it is difficult to- find separate men for the said appointments.

I have the honor to be,
Sir,
Your most obedient serbant,
M.A. Narayanaiyengar
District Magistrate,
Shimoga District.

M.A.

1918-19

From
M.A.Narayana Aiyengar, Esquire, B.A., B.L.,
District Magistrate,
Shimoga District.

To
C.S.Balasundaram Iyer, Esquire, B.A.,
Chief Secretary to the Government of Mysore, Bangalore.

Dated 21st October 1918.

Despatched

Received 18 OCT 1918

General No. J.C. 225.
No.

13003 Enclosure No.

Proposes exemptions to Section 15 of Municipal Regulation.

CHIEF SECR

13023

6

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to.....

Section Legr
File No. 23-18
Serial No. 2

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

No. 413706

Date of issue 7.1.19

To

Signed by W S Gyaha

The District Magistrate
Shimoga District
Shimoga.

Sir; With refce to your Letter no
J.C. 225 dated 21st oct 1918, I am
directed to state that there is no
legal objection to Honorary Magistrate
being nominated Municipal Councillors
as the word "Judge" as defined in
Sec 3 (3) of the Municipal Regn
does not include a magistrate.

I have &c
for Chief Secy
to Govt

M.S.R.
4.1.19

over.